# GOVERNMENT OF INDIA
# HEALTH AND FAMILY WELFARE
# LOK SABHA

UNSTARRED QUESTION NO:262
ANSWERED ON:19.02.2003
EU HEALTH FORMULA
PRABHA RAU

**Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:**

(a) whether the member countries have failed to resolve the issue of diseases to be covered under the trade related intellectual property rights and public health by the stipulated date of December 31, 2002;

(b) if so, whether the European Union (EU) has proposed a compromise formula for the fifteen infectious epidemics as suggested by the World Health Organisation;

(c) whether most of the countries are yet to formulate their stand on the formula proposed by the EU;

(d) if so, whether the EU formula restricts the extent of disease coverage as compared to that envisaged in Doha declaration; and

(e) if so, whether any compromise formula has since been arrived at amongst the member countries about the diseases to be covered under the Doha declaration?

## Answer

MINISTER OF HEALTH AND FAMILY WELFARE AND PARLIAMENTARY AFFAIRS (SMT. SUSHMA SWARAJ)

(a) to (e) Chairman of the TRIPSCouncil gave a proposal for Draft Waiver Decision under para 6of Doha Declaration on 16th December, 2002. According to para 6 of Doha Declaration, the TRIPS Council had to find an expeditioussolution to the problem of countries with insufficient or no manufacturing capacities in the pharmaceutical sector by December, 2002. However, the TRIPS Council could not arrive at a consensus on this issue as US did not agree to the proposal from Chairman, TRIPS Council of 16th December, 2002.

The European Union gave a proposal in January, 2003 for a footnote to para 1 (a) of the Draft Waiver Decision of the Chairman, TRIPS Council dated 16th December, 2002.The EUproposal was not agreed to by the developing countries including India and Africa group. The proposal by Chairman, TRIPS Council on 16th December, 2002 provides that the solution would cover pharmaceutical products required to address public health problems as recognised in paragraph 1of Doha Declaration. The EU proposal restricts disease coverage as compared to Doha Declaration and proposal by Chairman, TRIPS Council dated 16th December, 2002. The issue is still under negotiation.